

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

DAVID PEARSON,

Petitioner,

v.

TONY PARKER, Warden,

Respondent.

No. 05-1302-T/An

MOTION FOR EXTENSION OF TIME

Respondent, through counsel, respectfully requests this Court grant an extension of 45 days in which to file a response to the petition for writ of habeas corpus filed in this matter. In support of this motion respondent would show:

1. This Court entered an Order on December 12, 2005, give respondent 23 days to file an answer or other response to the petition for writ of habeas corpus filed in this matter. That would make respondent's answer due on January 4, 2006.

2. As a part of submitting an answer, respondent is required to file relevant portions of the state court record for use in resolving this petition. Rule 5, Rules Governing Section 2254 Cases in the United States District Courts. This additional time is needed to obtain the state court records, review them, and copy the relevant portions.

Because petitioner is appearing pro se and is presently incarcerated, respondent was unable to contact him prior to filing this motion.

MOTION GRANTED

DATE: 28 December 2005

James D. Todd
James D. Todd
U.S. District Judge

WHEREFORE, respondent prays this Court will grant his motion and extend the time for filing a response to the petition for writ of habeas corpus, until February 20, 2006.

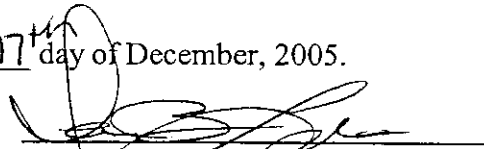
Respectfully submitted,



ALICE B. LUSTRE
Senior Counsel
Criminal Justice Division
P.O. Box 20207
Nashville, Tennessee 37202
615-741-4349

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Motion was sent via U.S. Mail, first class postage prepaid, to David Pearson, Inmate #142282, Northwest Correctional Complex, 960 State Route 212, Tiptonville, Tennessee 38079, on this the 27th day of December, 2005.



ALICE B. LUSTRE
Senior Counsel



Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 1:05-CV-01302 was distributed by fax, mail, or direct printing on December 29, 2005 to the parties listed.

Alice B. Lustre
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Nashville, TN 37202

David Pearson
Northwest Correctional Complex
142282
950 State Route 212
Tiptonville, TN 38079

Honorable James Todd
US DISTRICT COURT